

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

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## COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title: Method and apparatus for controlling recording levels

the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Fill in Appropriate Information - The specification was filed on January 16, 2004 as United States Application Number 10/758,073; and amended on \_\_\_\_\_ (if applicable) and/or

For Use Without Specification Attached: the specification was filed on \_\_\_\_\_ as PCT International Application Number \_\_\_\_\_; and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Insert Priority Information (if appropriate) |                             |                             | Priority Claimed                    |                          |
|--|-----------------------------|-----------------------------|-------------------------------------|--------------------------|
| <u>10-2003-0003779</u>                       | <u>Korea</u>                | <u>January 20, 2003</u>     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (Number)                                     | (Country)                   | (Month/Day/Year Filed)      | Yes                                 | No                       |
| <u>                    </u>                  | <u>                    </u> | <u>                    </u> | <input type="checkbox"/>            | <input type="checkbox"/> |
| (Number)                                     | (Country)                   | (Month/Day/Year Filed)      | Yes                                 | No                       |
| <u>                    </u>                  | <u>                    </u> | <u>                    </u> | <input type="checkbox"/>            | <input type="checkbox"/> |
| (Number)                                     | (Country)                   | (Month/Day/Year Filed)      | Yes                                 | No                       |
| <u>                    </u>                  | <u>                    </u> | <u>                    </u> | <input type="checkbox"/>            | <input type="checkbox"/> |
| (Number)                                     | (Country)                   | (Month/Day/Year Filed)      | Yes                                 | No                       |

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

| Insert Provisional Application(s): (if any) | (Application Number)        | (Filing Date)               |
|---|-----------------------------|-----------------------------|
| <u>                    </u>                 | <u>                    </u> | <u>                    </u> |
| <u>                    </u>                 | <u>                    </u> | <u>                    </u> |

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

| Insert Requested Information (if appropriate) | Country                     | Application Number          | Date of Filing (Month/Day/Year) |
|---|-----------------------------|-----------------------------|---------------------------------|
| <u>                    </u>                   | <u>                    </u> | <u>                    </u> | <u>                    </u>     |
| <u>                    </u>                   | <u>                    </u> | <u>                    </u> | <u>                    </u>     |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| Insert Prior U.S. Application(s): (if any) | (Application Number)        | (Filing Date)               | (Status - patented, pending, abandoned) |
|--|-----------------------------|-----------------------------|---|
| <u>                    </u>                | <u>                    </u> | <u>                    </u> | <u>                    </u>             |
| <u>                    </u>                | <u>                    </u> | <u>                    </u> | <u>                    </u>             |

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

**CUSTOMER NO. 02292; (BIRCH, STEWART, KOLASCH & BIRCH, LLP)**  
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First  
 or Sole Inventor:  
 Insert Name of  
 Inventor →

Insert Date This  
 Document is Signed

Insert Residence  
 Insert Citizenship →

Insert Post Office  
 Address →

Full Name of Second  
 Inventor, if any:  
 see above

Full Name of Third  
 Inventor, if any:  
 see above

Full Name of Fourth  
 Inventor, if any:  
 see above

Full Name of Fifth  
 Inventor, if any:  
 see above

Full Name of Sixth  
 Inventor, if any:  
 see above

|   |                                    |                                  |
|---|------------------------------------|----------------------------------|
| GIVEN NAME/FAMILY NAME<br>Jong Cheol, CHOI  | INVENTOR'S SIGNATURE<br>J. C. CHOI | DATE*<br>Oct. 23, 2008           |
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| Residence (City, State & Country)   |                                    | CITIZENSHIP                      |
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\*DATE OF SIGNATURE